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Wisconsin Bar #1068086

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6 *Special Insurance Counsel to*

7 *The Official Committee of Unsecured Creditors*

8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

Case No. 23-30564

Chapter 11

11 *In re:*

12 THE ROMAN CATHOLIC ARCHBISHOP  
13 OF SAN FRANCISCO,

14 Debtor and Debtor in Possession.

**CERTIFICATION OF JESSE J. BAIR IN  
SUPPORT OF FIRST INTERIM FEE  
APPLICATION OF BURNS BAIR LLP AS  
SPECIAL INSURANCE COUNSEL TO THE  
OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS FOR ALLOWANCE AND  
PAYMENT OF COMPENSATION AND  
REIMBURSEMENT OF EXPENSES FOR  
THE PERIOD OF OCTOBER 19, 2023  
THROUGH JANUARY 31, 2024**

18 Judge: Hon. Dennis Montali

19 Date: April 4, 2024

Time: 1:30 p.m. (Pacific Time)

Objection Deadline: March 21, 2024

20 Place: United States Bankruptcy Court

450 Golden Gate Avenue

21 San Francisco, California 94102

22  
23 I, Jesse J. Bair, hereby certify as follows:

24 1. I am an attorney licensed to practice law in the State of Wisconsin. I am a partner  
25 of the law firm Burns Bair LLP, special insurance counsel for the Committee, and am authorized  
26 to make this Certification in that capacity. Except as otherwise indicated, all statements in this  
27 Certification are based on my personal knowledge, and, if called upon to do so, I could and  
28 would testify competently thereto.

1           2.       I make this Declaration in support of the *First Interim Fee Application of Burns*  
2 *Bair LLP as Special Insurance Counsel to the Official Committee of Unsecured Creditors for*  
3 *Allowance and Payment of Compensation and Reimbursement of Expenses for the Period of*  
4 *October 19, 2023 through January 31, 2024* (the “**Interim Application**”).<sup>1</sup> I am an attorney  
5 designated by the Applicant to sign the Interim Application on its behalf.

6           3.       Pursuant to the Northern District Guidelines, I certify that:

7               a.       I have read the Interim Application.

8               b.       To the best of my knowledge, information and belief formed after  
9 reasonable inquiry, the compensation and expense reimbursement sought in the  
10 Interim Application are in conformity with the Northern District Guidelines  
11 except as otherwise indicated in the Interim Application.

12              c.       The compensation requested in the Interim Application has been billed at  
13 rates and in accordance with practices no less favorable than those currently  
14 employed by the Applicant and generally accepted by the Applicant’s clients.

15           4.       There is no agreement or understanding between Burns Bair and any other person  
16 other than the partners of Burns Bair for the sharing of compensation to be received for services  
17 rendered in this case.

18           5.       As required by the Northern District Guidelines, Burns Bair has sent monthly  
19 billing statements to the Debtor during this Chapter 11 Case. I certify that the Debtor and the  
20 U.S. Trustee are each being provided with a copy of the Interim Application in accordance with  
21 the Interim Compensation Order.

22           6.       Burns Bair responds to the questions identified in the U.S. Trustee Guidelines as  
23 follows:

24               (a)       **Question:** Did you agree to any variations from, or alternatives to, your standard  
25 or customary billing rates, fees or terms for services pertaining to this engagement that  
were provided during the application period? If so, please explain.

26                       **Answer:** No.  
27

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28       <sup>1</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Interim Application.

1 (b) **Question:** If the fees sought in this fee application as compared to the fees  
2 budgeted for the time period covered by this fee application are higher by 10% or more,  
3 did you discuss the reasons for the variation with the client?

4 **Answer:** N/A.

5 (c) **Question:** Have any of the professionals included in this fee application varied  
6 their hourly rate based on the geographic location of the bankruptcy case?

7 **Answer:** No.

8 (d) **Question:** Does the fee application include time or fees related to reviewing or  
9 revising time records or preparing, reviewing, or revising invoices? (This is limited to  
10 work involved in preparing and editing billing records that would not be compensable  
11 outside of bankruptcy and does not include reasonable fees for preparing a fee  
12 application.). If so, please quantify by hours and fees.

13 **Answer:** No. Any time worked on these tasks would have been in connection  
14 with preparing monthly fee statements.

15 (e) **Question:** Does the fee application include time or fees for reviewing time  
16 records to redact any privileged or other confidential information? If so, please quantify  
17 by hours and fees.

18 **Answer:** No.

19 (f) **Question:** If the fee application includes any rate increases since retention: (i)  
20 Did your client review and approve those rates increases in advance? (ii) Did your  
21 client agree when retaining the law firm to accept all future rate increases? If not, did  
22 you inform your client that they need not agree to modified rates or terms in order to  
23 have you continue the representation, consistent with ABA Formal Ethics Opinion 11-  
24 458?

25 **Answer:** N/A

26 7. Attached hereto as **Exhibit A** is a copy of a letter transmitting the Interim  
27 Application (along with the first interim fee applications of Berkeley Research Group, LLC and  
28 Pachulski Stang Ziehl & Jones LLP) that I understand will be emailed to the group of four  
Committee members whom the Committee has charged with handling fee issues in this Case.  
The letter invites the Committee to discuss with the Committee professionals and the United  
States Trustee any objections, concerns, or questions the Committee may have with regard to the  
requested compensation and reimbursement set forth in the Committee professionals' first  
interim fee applications.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct. Executed this 29th day of February, 2024, in Madison, Wisconsin.

3 /s/ Jesse J. Bair

4 Jesse J. Bair

# EXHIBIT A



James I. Stang

February 29, 2024

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### Via Email

Mr. Jerold M. Dumlao  
Ms. Madeline McFeely  
Ms. Sophia M. Prevatte  
Mr. Manuel Suarez

### Re: **In re The Roman Catholic Archdiocese of San Francisco: *First Interim Fee Applications of the Committee's Professionals***

Dear Jerry, Madeline, Sophia, and Manny:

Attached please find the first interim fee applications (the “Applications”) that the Committee’s professionals in this case (Burns Bair, LLP; Berkeley Research Group, LLC; and Pachulski Stang Ziehl & Jones LLP) filed today. The Bankruptcy Court’s *Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees* provide that a debtor in possession, a trustee, or an official committee must exercise reasonable business judgment in monitoring the fees and expenses of the bankruptcy estate’s professionals. I am providing these Applications to you in your capacity as the Committee members who attend to fee issues in the Archdiocese of San Francisco’s bankruptcy case.

You have previously reviewed all of the bills underlying these Applications. We invite you to discuss with us any objections, concerns, or questions you have regarding these Applications. The Office of the United States Trustee similarly will accept your comments. The Bankruptcy Court will consider at the hearing on these Applications, currently set for April 4, 2024, any timely-filed objections by any party in interest in this case.



PACHULSKI  
STANG  
ZIEHL &  
JONES

February 29, 2024  
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Once we receive the Debtor's professionals' interim fee applications, we will forward those to you, as well.

Very truly yours,

*/s/ James I. Stang*

James I. Stang

Enclosures

cc: Debra I. Grassgreen, Esq. (i/o)  
Gillian N. Brown, Esq. (i/o)  
Brittany M. Michael, Esq. (i/o)  
Ms. Beth D. Dassa (i/o)  
Timothy Burns, Esq. (i/o)  
Jesse Bair, Esq. (i/o)  
Mr. Ray Strong (i/o)  
Mr. Matthew Babcock (i/o)  
Mr. Dallin Godfrey (i/o)